

Image RCE/1600

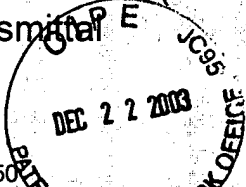
PTO/689/30 (08-03)

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Request For Continued Examination (RCE) Transmittal

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|------------------------|--------------------------|
| Application Number | 09/103,745 |
| Filing Date | 06/24/1998 |
| First Named Inventor | Sudhir Agrawal |
| Art Unit | 1635 |
| Examiner Name | James Schultz |
| Attorney Docket Number | 47508.642 US2 HYZ-642US2 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
 - ☐ Other _____
 - ☒ Enclosed
 - ☒ Amendment/Reply
 - ☐ Affidavit(s)/ Declaration(s)
 - ☐ Information Disclosure Statement (IDS)
 - ☐ Other _____
- Miscellaneous**
 - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - ☐ Other _____
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
The Director is hereby authorized to charge the following fees, or credit any overpayments, to
 - ☒ Deposit Account No. 08-0219
 - ☒ RCE fee required under 37 CFR 1.17(e) 12/23/2003 MGE BREM1 00000101 080219 09103745
 - ☒ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 770.00 DA
 - ☐ Other _____
 - ☐ Check in the amount of \$ _____ enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|------------------------|-----------------------------------|------------|
| Name (Print/Type) | James I. Olesen, Ph.D. | Registration No. (Attorney/Agent) | 46,967 |
| Signature | | Date | 12/18/2003 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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|-------------------|----------------|------|------------|
| Name (Print/Type) | Lisa A. Calder | Date | 12/18/2003 |
| Signature | | | |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 47508.642US2 HYZ-642US2)

In re Application of:)
AGRAWAL) Group Art Unit: 1635
Serial No.: 09/103,745) Examiner: Schultz, James
Filed: June 24, 1998)
Title: *Method for Using Oligonucleotides Having*)
Modified CpG Dinucleotides)

CERTIFICATE OF MAILING UNDER 37 C.F.R §1.8(a)

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Date: 12/18/03

By: Lisa A. Calder
Lisa A. Calder

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION AND PRELIMINARY AMENDMENT
WITH RESPONSE NOT PREVIOUSLY CONSIDERED

Sir:

Applicants respectfully request that the following previously submitted, but not entered, Amendment and previously submitted, but not considered, Response to the Final Rejection (dated July 15, 2003) be considered prior to the substantive examination of the accompanying Request for Continued Examination (RCE) filing under 37 CFR §1.114. This Amendment and Response accompanying the filing of an RCE has been made timely by the filing of a Petition for a Two Month Extension of time and payment of fee. The time for responding to this Action has

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| Appl. No. 09/103,745 Amdt. Dated: December 18, 2003 Reply to Advisory Action of December 12, 2003 | Atty. Docket No. 47508.642 US2 Client Ref. No. HYZ-642 US2 |
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been extended to January 15, 2004, by the accompanying Petition for Extension of Time to File under 37 CFR 1.136(a). This submission presents a bona fide attempt to advance the application as required under 37 CFR §1.114(c). Please amend the application as provided below.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 4 of this paper.